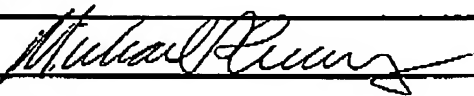


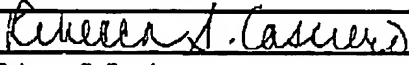
Approved for use through 07/31/2008, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/729,232	RECEIVED CENTRAL FAX CENTER JUN 16 2005
	Filing Date	12/05/2003	
	First Named Inventor	Roger Thomas	
	Art Unit	3725	
	Examiner Name	SELF, Shelley M.	
Total Number of Pages in This Submission	3	Attorney Docket Number	P-US-PR 1111

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Black & Decker		
Signature			
Printed Name	Michael P. Leary		
Date	June 16, 2005	Reg. No.	41,144

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Rebecca S. Casciero	Date	June 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Appl. No. 10/729,232
Election dated June 16, 2005
Reply to Office Action dated May 18, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/729,232 Confirmation No. 9216
Applicant : Roger Thomas
Filed : December 5, 2003
Title : Debris Collection System For A Planer

TC/A.U. : 3725
Examiner : SELF, Shelley M.

Docket No. : P-US-PR-1111

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION RESPONSIVE TO OFFICE ACTION

I, Michael P. Leary, PTO Reg. No. 41,144, hereby certify that this
correspondence is being facsimile transmitted to the US Patent and
Trademark Office number (703) 872-9306 on JUNE 16 2005


Michael P. Leary

Sir:

In the Action dated May 18, 2005, the Examiner required the election of one of the
following species:

- Species of Figures 1-5
- Species of Figures 6-8
- Species of Figures 9-12
- Species of Figures 13-15
- Species of Figure 16
- Species of Figures 17 and 18

Applicants respectfully request that the Examiner reconsider the election requirement.
As the Examiner has noted, Claim 1 is generic and is the only independent claim.
Furthermore, the modifications to the basic planer design incorporated into the
embodiments of Figs. 13-15, Fig. 16, and Fig. 17-18, should require minimal
additional searching and analysis. Under the Patent Act and the rules of patent
practice, if the search and examination of an entire application can be made without

Appl. No. 10/729,232
Election dated June 16, 2005
Reply to Office Action dated May 18, 2005

serious burden, the examiner must examine it on the merits, even though it may include claims to distinct or independent inventions. MPEP § 803.

Nevertheless, the Examiner has advised Applicant that a response to the restriction requirement must include an identification of the species that is elected, and a listing of all claims readable thereon. Therefore, the Applicant elects the Species of Figures 1-5. Claims 1, 3, and 5 read on the elected Species of Figs. 1-5.

Claim 2 reads on the Species of Figs. 13-15.
Claim 4 reads on the Species of Fig. 16.
Claims 6-13 read on the Species of Figs 17-18.

Respectfully submitted,



Michael P. Leary
Registration No. 41,144
Attorney for Applicant(s)
June 16, 2005

Michael Leary - TW199
The Black & Decker Corporation
701 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 716-2773
Fax: (410) 716-2610